



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: John F. Catalano et al.

Serial No.: 09/677,257

Filed: 10/02/2000

Title: System and Method For Capturing, Enrolling and Verifying A Fingerprint

Examiner: (not yet assigned)

Group No.: 2621

Attorney Docket No.: B08369-00002

Commissioner for Patents  
Washington, D.C. 20231

**CERTIFICATE OF MAILING (37 C.F.R. 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

Lawrence H. Meier 12-6-62  
Lawrence H. Meier Date

Lawrence H. Meier

Date \_\_\_\_\_

RECEIVED

DEC 13 2002

December 6, 2002

Technology Center 2600

**Request For Withdrawal As Attorney (37 C.F.R. 10.40(c))**

## **Request For Permission To Withdraw**

1. I, Lawrence H. Meier, an attorney signing below, respectfully request permission to withdraw from all further responsibility in this case, in accordance with 37 C.F.R. 1.36.

Because the amendment referred to in item 4A(iii) below is a continuing application signed only by an attorney named below under

37 C.F.R. § 1.60(b),

37 C.F.R. § 1.62(c),

this withdrawal request is also for such continuing application.

### **Last Known Address Of Client**

2. The last known mailing address of the:

- inventor(s)  
 assignee of the entire interest

is Mr. Daniel Robinson  
President and CEO  
Biometric Solutions, LLC  
805 Third Avenue  
Suite 1500  
New York, NY 10022

Office: 212-317-8302  
Fax: 212-317-8055

Please address all correspondence regarding the above-identified application to this address.

### **Basis For Withdrawal Request**

3. The basis for the request for withdrawal is 37 C.F.R. 10.40(c)(iv). On June 10, 2002, Applicant, Applied Biometrics Products, Inc., filed for Chapter 7 Bankruptcy in the United States District Court for the District of Vermont, Case Number 02-10787 cab.

Pursuant to an Order of the United States Bankruptcy Court for the District of Vermont entered on September 25, 2002, Applicant's assets were sold to Biometric Solutions, LLC.

Pursuant to email communications with Biometric Solutions, LLC, the above-identified application is to be transferred to new intellectual property counsel. See attached copy of email communication from Daniel Robinson, President and CEO of Biometric Solutions, LLC.

The file in this matter has been transferred to Biometric Solutions, LLC's intellectual property counsel, see attached copy of letter to counsel dated December 6, 2002.

#### **Allowance Of Time For Client To Act**

4. Status of this application:

A. Response Due (*if any*)

- (i)  No response is due.
- (ii)  There is no outstanding term for response.
- (iii)  There is an outstanding term for response that is set to expire on \_\_\_\_\_, 2002.

The above term is extendible under 37 C.F.R. 1.136(a) until

\_\_\_\_\_, 2002 and the fees for such extension

are

are not

being submitted herewith.

- (iv)  Also submitted herewith is a response to the outstanding Office Action.

B. Time Left for Response

Therefore, the amount of time for response, including extension under 37 C.F.R. 1.136(a), is:

at least \_\_\_\_\_.

cannot be calculated because this case is/will now be awaiting action by the PTO.

#### **Notification Of Client**

5. In accordance with 37 C.F.R. 10.40(a), a copy of this request is being sent to Biometric Solutions, LLC. A copy of the letter to the client is attached.

### **Number Of Copies Of Request**

6. This request is enclosed in triplicate.

7. Related Applications for Which Withdrawal is Requested

Withdrawal also is requested in the following related application of the:

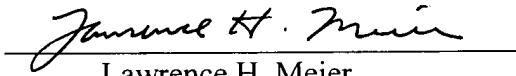
inventor(s): \_\_\_\_\_

assignee: \_\_\_\_\_

common representative: \_\_\_\_\_

### **Signature(s) Of Withdrawing Attorney(s)**

8. Signature(s) of the attorney(s) withdrawing (or signature of an authorized attorney on behalf of an attorney withdrawing).



Lawrence H. Meier

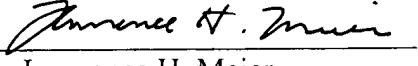
Reg. No.: 31,446

Telephone No.: (802) 863-2375

Address: Downs Rachlin Martin PLLC  
199 Main Street  
P.O. Box 190  
Burlington, VT 05402-0190

Respectfully submitted,

DOWNS RACHLIN MARTIN PLLC

By   
Lawrence H. Meier

BTW/215164.1

P280 - 01/01

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Law Offices of  
**Downs Rachlin Martin PLLC**  
199 Main Street  
P.O. Box 190  
Burlington, VT 05402-0190  
(802) 863-2375

April Hathaway



**From:** Larry Meier  
**Sent:** Friday, December 06, 2002 3:13 PM  
**To:** April Hathaway  
**Subject:** FW: ABP Bankruptcy Proceedings Completed



Biometrics-SignedSaleOrder.pdf...

-----Original Message-----

From: Daniel F. Robinson [mailto:Daniel.Robinson@BiometricSolutions.com]  
Sent: Monday, December 02, 2002 12:30 PM  
To: Larry Meier  
Subject: ABP Bankruptcy Proceedings Completed

Dear Mr. Meier,

I am sorry that I missed speaking with you earlier today. As I mentioned in my voice message, on November 19, 2002, the sale of the ABP bankruptcy estate was concluded. Biometric Solutions, LLC is now the owner (right and title) of all former ABP tangible and intangible property which includes the patent application, trademarks and other copyrighted material. I have attached a signed copy of the Court Order for your use.

In addition, I have also completed power of attorney and 37 CFR 3.73(b) assignment forms and forwarded them to the Patent and Trademark Office.

I would like to have your support in shipping (3 - 5 day delivery) all of the ABP intellectual property files you have to the following address:

Robert J. Hess  
Gibbons, Del Deo, Dolan, Griffinger & Vecchione  
One Pennsylvania Plaza, 37th floor  
New York, NY 10119-3701

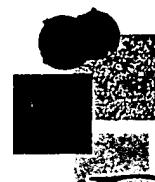
Mr. Hess serves as Biometric Solutions' intellectual property counsel.

Please let me know if there is anything else I can do to help facilitate this effort. I thank you in advance for your cooperation and timely support.

Best regards,  
Daniel Robinson  
President and CEO

Biometric Solutions, LLC  
805 Third Avenue  
Suite 1500  
New York, NY 10022

Office: (212) 317-8302  
Fax: (212) 317-8055



# DRM

DOWNS RACHLIN MARTIN PLLC

LARRY MEIER  
lmeier@drm.com  
802-863-2375

December 6, 2002

**Via Facsimile – Original by Federal Express**

Mr. Robert J. Hess  
Gibbons, Del Deo, Dolan, Griffinger & Vecchione  
One Pennsylvania Plaza, 37th Floor  
New York, NY 10119-3701

Re: Transfer of Intellectual Property Files of Applied Biometrics Products, Inc.  
DRM File No.: B08369-00001

Dear Mr. Hess:

Per the request of Daniel Robinson, please find enclosed the four (4) U.S. patent application files, one (1) PCT application file, four (4) U.S. trademark application files and five (5) foreign trademark application files, all as listed below. This collection of files constitutes all of our patent and trademark files for Applied Biometrics Products, Inc.

Patents

U.S. Provisional Patent Application Serial No. 60/208,605 for a "System and Method For Capturing, Enrolling and Verifying a Fingerprint;"

U.S. Non-Provisional Patent Application Serial No. 09/677,257 for a "System and Method For Capturing, Enrolling and Verifying a Fingerprint;"

PCT Patent Application No. US00/27178 for a "System and Method For Capturing, Enrolling and Verifying a Fingerprint;"

U.S. Provisional Patent Application Serial No. 60/211,414 for a "Portable Fingerprint Image Capture Device;" and

Mr. Robert J. Hess  
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U.S. Provisional Patent Application Serial No. 60/310,659 for a "Portable Fingerprint Image Capture Device."

Trademarks

U.S. Trademark Application Serial No. 76/020,323 for the mark Key logo;

U.S. Trademark Application Serial No. 76/020,301 for the mark KRYPTIC PILOT;

U.S. Trademark Application Serial No. 76/020,082 for the mark KRYPTIC;

U.S. Trademark Application Serial No. 76/020,081 for the mark APPLIED BIOMETRICS PRODUCTS;

Australian Trademark Application No. 852496 for the mark APPLIED BIOMETRICS PRODUCTS;

Canadian Trademark Application No. 1077917 for the mark APPLIED BIOMETRICS PRODUCTS;

European Trademark Application No. 1889740 for the mark APPLIED BIOMETRICS PRODUCTS;

Japanese Trademark Application No. 109551/2000 for the mark APPLIED BIOMETRICS PRODUCTS; and

New Zealand Trademark Application No. 624700/01 for the mark APPLIED BIOMETRICS PRODUCTS.

Please find attached a copy of our Request For Withdrawal As Attorney in each pending application, as submitted to the U.S. Patent and Trademark Office on December 6, 2002. We understand that upon receipt, you will take over all responsibility for these files.

Also enclosed for your convenience is a CPI docketing report identifying the current status of the files. Please sign and date a copy of this letter at the space provided indicating your receipt of the enclosed files, and return a copy to me at your earliest convenience.

Mr. Robert J. Hess  
December 6, 2002  
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Should you have any questions, please let me know.

Very truly yours,

DOWNS RACHLIN MARTIN PLLC

By: Lawrence H. Meier  
Lawrence H. Meier

LHM/afh

c. Mr. Daniel Robinson (w/out enclosures)

Enclosures:

Patent Application Files (5)  
Trademark Files (9)  
CPI Report  
Requests for Withdrawal

Acknowledged receipt of files:

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Robert J. Hess

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Date

BTV/230948.1